

The Garsky Group

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November 8, 2007

NOV 8 2007

U.S. DISTRICT COURT  
S.D.N.Y.VIA FACSIMILE

Honorable Harold Baer, Jr.  
United States District Court  
United States Court House  
500 Pearl Street, Room 2230  
New York, NY 10007

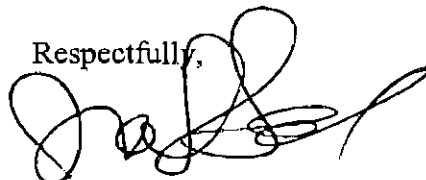
Re: Diesel Props S.r.l. v. GBMI, 07 CV 9580 (HB)

Dear Judge Baer:

In light of the ability of defendants to sell Warehouse Product during the time period prior to the scheduled preliminary injunction hearing, and the likelihood that most of the product will have been sold by the time of the preliminary injunction hearing, plaintiffs hereby withdraw their motion for preliminary injunction.

With the Court's permission, however, plaintiffs request that the scheduled November 19 date at 2:00 pm be used instead for an initial pre-trial conference in this matter.

Respectfully,



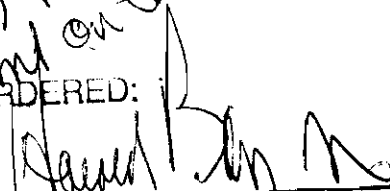
Ira S. Sacks

ISS/es

cc: Daniel P. Shapiro, Esq. (via facsimile)  
Mark Parry, Esq. (via facsimile)  
Sudeep Datta (via facsimile)

*This sounds fine to me  
but please endeavor to put  
a draft PTSC together before  
you come on the 14th -*

SO ORDERED:



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Harold Baer, Jr., U.S.D.J.

Date: 11/8/07

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TOTAL P.02

Endorsement:

This sounds fine to me but please endeavor to put a draft  
PTSO together before you come on the 19th.

J